

UNITED STATES DISTRICT COURT MAR 24 2015

for the
Southern District of TexasUnited States of America
v.
Carolina GRIMALDO-Cruz YOB 1977
COB: Mexico

Case No. M-15-0430-M-02

Defendant

CRIMINAL COMPLAINT

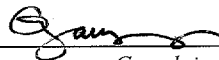
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of March 23, 2015 in the county of Hidalgo in the Southern District of Texas, the defendants violated 18 U. S. C. § 922(d)(5)(A) & 924(a)(2) an offense described as follows:

Sell or otherwise dispose of any firearm or ammunition, which has been shipped or transported in interstate or foreign commerce to any person knowing or having reasonable cause to believe that such person is an alien illegally or unlawfully present in the United States, to wit: Approximately four-thousand (4,000) cartridges of 7.62 x 39 mm caliber ammunition.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet

Complainant's signature

Omar Garza, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Approved by: Leo I. Leo, IIIDate: 03/24/2015City and state: McAllen, Texas

Judge's signature

Peter E. Ormsby, U.S. Magistrate

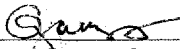
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Attachment A

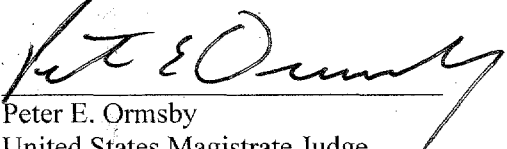
On March 23, 2015, Homeland Security Investigations (HSI), Harlingen, TX Special Agents (SAs) conducted a consensual search for firearms and ammunition at 145 W. Dicker Rd., Pharr, TX. At said residence, SAs encountered Carolina GRIMALDO-Cruz, a citizen of Mexico and Legal Permanent Resident (LPR) and Francisco Javier MENDOZA-Esquivel, a citizen of Mexico unlawfully present in the United States. GRIMALDO-Cruz gave SAs a verbal and written consent to search the residence. At the same time MENDOZA-Esquivel was outside of the residence and advised SAs that there was 7.62 x 39 mm ammunition inside the residence in a room he occupied and more ammunition in a tool box outside of the residence. During the consensual search of the residence SAs discovered approximately 4,000 cartridges of 7.62 x 39 mm ammunition in a room occupied by MENDOZA-Esquivel and approximately 1,860 cartridges in a tool box located outside the residence.

GRIMALDO-Cruz was read her Miranda Rights in Spanish by HSI SA's and waived her right to have an attorney present and provided a statement.

GRIMALDO-Cruz stated that she was aware that her boyfriend, MENDOZA-Esquivel was present in the United States illegally and that MENDOZA-Esquivel had been deported from the United States due to a prior drug conviction. GRIMALDO-Cruz stated that she purchased approximately 4,000 cartridges of ammunition for MENDOZA-Esquivel due to the fact that he did not possess a form of government identification because he was present in the country illegally. GRIMALDO-Cruz stated that this was not the first time she purchased ammunition for MENDOZA-Esquivel. GRIMALDO-Cruz stated that she only purchased the ammunition found inside MENDOZA-Esquivel's room and was unaware of the ammunition found inside a tool box outside of the residence. GRIMALDO-Cruz stated that MENDOZA-Esquivel told her to purchase the ammunition for him in order to go target practice at an unknown ranch.


Omar Garza, Special Agent
Homeland Security Investigations

Sworn to before me and signed in my presence on March 24, 2015, in McAllen, Texas.


Peter E. Ormsby
United States Magistrate Judge